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# HOUSE BILL No. 1108

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 9-21-8-54.

**Synopsis:** Failure to yield to an emergency vehicle. Provides that a person who knowingly or intentionally fails to yield the right-of-way or proceed with due caution when approaching a stationary authorized emergency vehicle, a stationary recovery vehicle, or a stationary highway maintenance vehicle under certain circumstances commits a Class A misdemeanor for the second or subsequent violation. (Current law provides for a Class A infraction for the second or subsequent violation.)

**Effective:** July 1, 2010.

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## Battles

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January 5, 2010, read first time and referred to Committee on Courts and Criminal Code.

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Introduced

Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

## HOUSE BILL No. 1108

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-21-8-54 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 54. (a) **Except as**  
3 **provided in subsection (g)**, a person who violates section 35(b) or  
4 section 35(c) of this chapter commits a Class A infraction.

5 (b) If a violation of section 35(b) of this chapter results in damage  
6 to the property of another person, in addition to any other penalty  
7 imposed, the court shall recommend that the person's driving privileges  
8 be suspended for a fixed period of not less than ninety (90) days and  
9 not more than one (1) year.

10 (c) If a violation of section 35(c) of this chapter results in damage  
11 to the property of another person of at least two hundred fifty dollars  
12 (\$250), in addition to any other penalty imposed, the court shall  
13 recommend that the person's driving privileges be suspended for a  
14 fixed period of not less than ninety (90) days and not more than one (1)  
15 year.

16 (d) If a violation of section 35(b) or section 35(c) of this chapter  
17 results in injury to another person, in addition to any other penalty



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1 imposed, the court shall recommend that the person's driving privileges  
 2 be suspended for a fixed period of not less than one hundred eighty  
 3 (180) days and not more than two (2) years.

4 (e) If a violation of section 35(b) or section 35(c) of this chapter  
 5 results in the death of another person, in addition to any other penalty  
 6 imposed, the court shall recommend that the person's driving privileges  
 7 be suspended for two (2) years.

8 (f) The bureau shall, upon receiving a record of a judgment entered  
 9 against a person under this section:

10 (1) suspend the person's driving privileges for a mandatory  
 11 period; or

12 (2) extend the period of an existing suspension for a fixed period;  
 13 of not less than ninety (90) days and not more than two (2) years. The  
 14 bureau shall fix this period in accordance with the recommendation of  
 15 the court that entered the judgment.

16 **(g) A person who knowingly or intentionally violates section**  
 17 **35(b) or 35(c) of this chapter commits a Class A misdemeanor for**  
 18 **the second or subsequent violation.**

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